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Attorneys for Plaintiffs CRAIG YATES
 and DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION SERVICES

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual; and)	CASE NO. CV-07-6498-WHA
DISABILITY RIGHTS ENFORCEMENT,)	
EDUCATION, SERVICES: HELPING)	STIPULATION OF DISMISSAL AND
YOU HELP OTHERS, a California public)	[PROPOSED] ORDER THEREON
benefit corporation,)	
)	
Plaintiffs,)	
)	
v.)	
)	
LEVIN COMMERCIAL FACILITY;)	
STUART M. LEVIN, trustee of the)	
STUART M. LEVIN REVOCABLE)	
TRUST,)	
)	
Defendant.)	

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Mutual Settlement Agreement and Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure section 41(a)(1).

STIPULATION OF DISMISSAL AND [PROPOSED] ORDER THEREON

1 This stipulation may be executed in counterparts, all of which together shall constitute
2 one original document.

3
4 Dated: September 8, 2008

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

5
6 By: _____/s/
7 Thomas E. Frankovich
8 Attorneys for CRAIG YATES and
9 DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES:HELPING YOU
HELP OTHERS

10 Dated: _____, 2008

HAIGHT BROWN & BONESTEEL LLP

11
12 By: _____
13 Nairi Chakalian
14 Attorneys for defendant STUART M. LEVIN,
15 trustee of the STUART M. LEVIN REVOCABLE
16 TRUST
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18
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20 **ORDER**

21 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
22 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
23 the purpose of enforcing the parties' Settlement Agreement and General Release should such
24 enforcement be necessary.

25 Dated: _____, 2008

26
27 _____
28 Hon. Judge William H. Alsup
UNITED STATES DISTRICT JUDGE

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3
4 Dated: _____, 2008

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

5
6
7 By: _____
Thomas E. Frankovich
Attorneys for CRAIG YATES and
8 DISABILITY RIGHTS ENFORCEMENT,
9 EDUCATION SERVICES:HELPING YOU
HELP OTHERS

10 Dated: 9 - 4 -, 2008

HAIGHT BROWN & BONESTEEL LLP

11
12 By: Nairi Chakalian
13 Nairi Chakalian
14 Attorneys for defendant STUART M. LEVIN,
15 trustee of the STUART M. LEVIN REVOCABLE
16 TRUST

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28 Hon. Judge William H. Alsup
UNITED STATES DISTRICT JUDGE